

2025:PHHC:116725



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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CWP-25468-2025

Date of Decision: 29.08.2025

Sanjeev Kumar

..... Petitioner

Versus

Financial Commissioner, Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Vinod K.Kaushal, Advocate for the petitioner.
Mr. Nirmaljit Singh Diwana, Senior DAG, Punjab.

HARSH BUNGER J. (ORAL)

Petition herein is, *inter alia*, for issuance of a writ in the nature of Certiorari for setting aside order dated 10.12.2020 (Annexure P-1) passed by the learned Collector, Hoshiarpur, whereby respondent No.4 – Sohan Singh has been appointed as Lambardar of Village Bhagtupur, Tehsil Garhshankar, District Hoshiarpur.

1.1 A further prayer has been made for setting aside order dated 01.02.2023 (Annexure P-2) passed by the learned Divisional Commissioner, Jalandhar and order dated 21.04.2025 (Annexure P-4) passed by the learned Financial Commissioner, Punjab.

2. Briefly, upon demise of Sh. Karam Singh, previous Lambardar (General Category) of Village Bhagtupur, Tehsil Garhshankar, District Hoshiarpur, proceedings for filling up the said vacancy were initiated, whereupon petitioner (Sanjeev Kumar) and respondent No.4 (Sohan Singh) also applied for the said vacancy.

2.1 The learned Naib Tehsildar, Garhshankar as well as the learned Tehsildar, Garhshankar, recommended the name of petitioner for appointment to the post of Lambardar, whereas the learned Sub Divisional Magistrate, Garhshankar recommended the candidature of respondent No.4 for the said post, and the matter was forwarded to the learned Collector, Hoshiarpur.

2.2 The learned Collector, Hoshiarpur, upon considering the relative merits and demerits of all the candidates, appointed respondent No.4 (Sohan Singh) as Lambardar of Village Bhagtupur, vide order dated 10.12.2020 (Annexure P-1).

2.3 Feeling aggrieved against the aforesaid order dated 10.12.2020 (Annexure P-1), petitioner (Sanjeev Kumar) preferred an appeal before the learned Divisional Commissioner, Jalandhar, which was dismissed vide order dated 01.02.2023 (Annexure P-2).

2.4 Still dissatisfied, petitioner filed a revision petition (ROR No.448 of 2023), before the learned Financial Commissioner, Punjab, which was also dismissed vide order dated 21.04.2025 (Annexure P-4).

3. In the aforementioned circumstances, petitioner has filed the present writ petition before this Court, seeking relief(s) as noticed hereinabove.

4. Heard.

5. In the present case, respondent No.4 – Sohan Singh was appointed as Lambardar of Village Bhagtupur by the learned Collector, Hoshiarpur, vide order dated 10.12.2020 (Annexure P-1), which appointment was subsequently upheld by the learned Divisional Commissioner, Jalandhar as well as by the learned Financial Commissioner, Punjab.

6. The sole contention raised by the learned counsel for the petitioner is that the petitioner is more meritorious than respondent No.4, inasmuch as he is younger in age and possesses higher educational qualifications than respondent No.4.

7. I have considered the aforesaid submission of learned counsel for the petitioner; however, I find no merit in the same.

8. As per order dated 10.12.2020 (Annexure P-1) passed by the learned Collector, Hoshiarpur, the petitioner was 55 years of age at the relevant time, whereas respondent No.4 was 63 years old. No doubt, the petitioner is comparatively younger than respondent No.4; and the age of a candidate is a relevant factor for appointment to the post of Lambardar, however, the age of a person is to be considered in the context of his physical ability and capacity to discharge his duties as a headman of the village. No such plea has been raised that respondent No.4 is incapacitated from discharging the functions of a Lambardar, in view of his age. There is nothing on record suggestive of the fact that any complaint was made against him that he is not able to render his services properly owing to his old age. Further, the petitioner is stated to have studied up to the Higher Secondary level, whereas respondent No.4 has studied up to the 8th Class, and on that account also, respondent No.4 cannot be said to be ineligible for the post of Lambardar.

9. The aforesaid facts were clearly available to the revenue authorities; however, they still found respondent No.4 to be the more suitable candidate for the post of Lambardar, and accordingly, his appointment has been maintained.

10. It is well settled law that in the matter of appointment of Lambardar, the choice of learned Collector is not be lightly interfered with,

even if two views are possible, unless there is any patent illegality or perversity therein. In this regard, reference can be made to a recent judgment dated 09.07.2025 passed by a Division Bench of this Court in *LPA No.2217 of 2024* titled as “**Murti Devi Vs. State of Haryana & Ors.**”, wherein it has been observed as under:

*“8. Moreover, it is a settled position that choice of the Collector in respect to appointment to the post of Lambardar should not be set aside until and unless there is patent illegality or perversity pointed out therein. Interference is also not called for only on the ground that two views may be possible. In this respect gainful reference can be made to judgments of this High Court in **Neeraj Kumar Vs. State of Haryana and others, 2013 (4) RCR (Civil) and Sukhminder Singh Vs. the Financial Commissioner and others 1992 PLJ 325.**”*

11. Considering the totality of the circumstances, I find no compelling reason to interfere with the order dated 10.12.2020 (Annexure P-1) passed by the learned Collector, Hoshiarpur, whereby respondent No.4 – Sohan Singh was appointed as Lambardar of Village Bhagtupur, Tehsil Garhshankar, District Hoshiarpur; especially when the said order has further been affirmed by the learned Divisional Commissioner, Jalandhar, and the learned Financial Commissioner, Punjab, vide orders dated 01.02.2023 (Annexure P-2) and 21.04.2025 (Annexure P-4), respectively.

12. The present writ petition is accordingly dismissed.

13. All pending application(s), if any, shall also stand closed.

29.08.2025

Apurva

(HARSH BUNGER)

JUDGE

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| 1. Whether speaking/reasoned : | Yes/No |
| 2. Whether reportable : | Yes/No |